

REMARKS

The final Office Action dated May 3, 2006 has been received and its contents carefully studied. Reconsideration of the rejections of the claims is respectfully requested. The independent claims were method claim 1, mechanism claim 20, apparatus claim 26, method claim 41, and apparatus claim 44. Claim 44 is now cancelled, but new independent claim 49 is now added.

All claims were rejected as being anticipated under 35 U.S.C. 102(e) by *Doyle et al* (U.S. Pat. No. 6,968,453). The final Office Action also relies upon *Hind* (U.S. Patent No. 6,976,163), which *Doyle* says is incorporated by reference. For the reasons described below, *Doyle* and *Hind* do not teach or suggest the present amended claims.

Brief Summary of Present Invention and Present Amendments

According to the present invention, a role certificate is for use on a specific device such as a mobile phone, and the role certificate provides for certain enumerated activities to be performed on the device such as downloading or debugging certain types of software code. The role certificate can further enumerate the specific entity (third party) that can perform the enumerated activities on the device.

As described in claim 1, the present method includes embedding in the device a role certificate which identifies a permitted activity, and also embedding public key information in the device corresponding to the private key used by a certification authority (CA) to sign the role certificate. The device is run so as to verify the role certificate using the information regarding the CA public key, causing the permitted activity to be activated within the device by a party if the role certificate is verified.

Instead of the role certificate being provided when a party wants to use the device for some activity, the role certificate is instead provided earlier than that, for example at the time of the device's manufacture. Then, the role certificate is used to prevent unauthorized parties from engaging in unauthorized activities with the device. The claims are now amended to clarify this aspect of the invention. No new matter is introduced, and all of the amendments are fully supported by the specification. See, for example, paragraphs 12, 25, and 32 of the present application as published on August 28,

2003. The claims are additionally amended merely to improve their format. New claims 49 and 50 correspond to old claims 20 and 21.

Normally, a role certificate according to the prior art authorizes the device to do something to others. However, in the present invention of claim 1, a role certificate allows others to do something to the device where the role certificate is embedded, for example allowing R&D access to a user's mobile device so that de-bugging can be performed.

The Present Amended Claims Are Not Obvious in View of the Reference(s)

Applicant respectfully submits that the present claimed invention is not disclosed or suggested by *Doyle* and/or *Hind*. The only part of *Hind* mentioned in the final Office Action is the Abstract of *Hind*. The Abstract of *Hind* specifically says that the certificate may be provided as part of the update, rather than being provided earlier, before a firmware update is even attempted. According to *Hind*, the update rules are extracted from the certificate. This disclosure of *Hind* is inconsistent with the present claimed invention wherein the certificate is embedded in the device *before* there is any attempted activity by a third party, e.g. *before* an attempted firmware update.

The *Doyle* reference mentions certificates, for example at column 7, lines 13-17 cited at page 3 of the final Office Action. That paragraph of *Doyle* deals with a situation where a portable device is operably connected to one or more components, and the portable device verifies the authenticity of those components. *Doyle* discloses that a certificate is associated with each of the operably connected components (col. 7, line2 13-14). Thus, before the operably connected components are connected to the portable device, there is no relationship or communication at all between *Doyle*'s portable device and the certificates associated with the components — that is very different from the present amended independent claims which specify that the certificate is embedded in said device before the at least one party communicates with the device to provide identity information and perform the permitted activity.

The cited FIG. 1 of *Doyle*, and *Doyle*'s description thereof, confirm that the *Doyle* invention is fundamentally different from the invention presently claimed. *Doyle*'s security zone 150 is connected to various components 110, 170, and 180. The final

Office Action states that units within the security zone **150** hold a multitude of role certificates. However, *Doyle* discloses that the certificates will be associated with each of the operably connected components (col. 7, lines 13-14) instead of the certificates being associated with the security zone **150**.

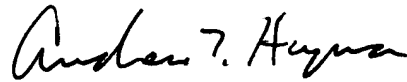
The only part of *Doyle's* preferred embodiment where there is any discussion or suggestion of certificates being stored in the security zone **150** is at column 14, lines 16-30, and those certificates are used in an entirely different manner from those presently claimed. *Doyle* discloses that certificates stored in the security zone **150** of the secure integrated device shown in FIG. 1 are sent to a receiver of another secure integrated device (col. 14, line 45) in order for the other secure integrated device to authenticate data streams received thereby.

From a careful study of the *Doyle* patent, and of the *Hind* patent which *Doyle* purports to incorporate by reference, certificates are used only in the usual way, i.e. they are provided from a sending device to a receiving device along with data which must be authenticated. There is no teaching or suggestion that a certificate will be embedded in a receiving device before there is any communication with a sending device, as presently claimed.

CONCLUSION

Because the cited *Doyle* reference does not teach or suggest critical elements of the present independent claims, it is respectfully submitted that those claims are novel and patentable. Thus, allowance of pending claims 1-47 is respectfully requested. Applicant would be grateful if the Examiner would please contact Applicant's attorney by telephone if the Examiner detects anything in the present response that might hinder a speedy allowance.

Respectfully submitted,



Andrew T. Hyman

Attorney for the Applicant

Registration No. 45,858

mbh

July 19, 2006

WARE, FRESSOLA, VAN DER SLUYS

& ADOLPHSON LLP

755 Main Street, PO Box 224

Monroe CT 06468

Tel: (203) 261-1234

Fax: (203) 261-5676